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MUG-0809

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

AFFIDAVIT IN SUPPORT
OF WARRANT FOR ARREST

- against -

EDWIN ORTIZ,

(18 U.S.C § 751(a))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

WILLIAM COSTA, being duly sworn, deposes and states that he is a Deputy United States Marshal duly appointed with the United States Marshals Service according to law and acting as such.

Upon information and belief, on or about July 21, 2006, within the Eastern District of New York and elsewhere, the defendant EDWIN ORTIZ, having been convicted of an offense, did knowingly and intentionally escape from the custody of the Attorney General or his authorized representative.

(Title 18 U.S.C. Section 751(a)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Affidavit is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

1. On or about February 12, 2002, the defendant EDWIN ORTIZ was arrested for possession with intent to distribute heroin. Pursuant to that arrest, ORTIZ was sentenced on April 22, 2003 by Judge John Gleeson of the United States District Court for the Eastern District of New York to a term of 60 months imprisonment and remanded to the custody of the Attorney General of the United States.

2. On or about April 29, 2006, the defendant EDWIN ORTIZ was admitted to the Brooklyn Community Corrections Center ("CCC") to complete the remainder of his sentence. On July 21, 2006 at 8:00 a.m., ORTIZ signed out of the CCC on an approved work pass with a curfew of 8:00 p.m. ORTIZ failed to return that night. The CCC staff contacted his employer as well as area hospitals and police precincts but did not locate him.

3. As of this date, the defendant EDWIN ORTIZ has not returned to the CCC.

WHEREFORE, your deponent respectfully requests that a warrant issue for the arrest of the defendant EDWIN ORTIZ so that he may be dealt with according to law.



WILLIAM COSTA
Deputy U.S. Marshal
U.S. Marshals Service

Sworn to before me this
27th day of July 2006

JUDGE
RK